

Baker & Hostetler LLP

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*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and Bernard L.
Madoff,

Plaintiff,

v.

CAROL L. KAMENSTEIN, individually and in
her capacity as joint tenant,

DAVID R. KAMENSTEIN, individually and in his
capacity as joint tenant,

SLOAN G. KAMENSTEIN, and

TRACY D. KAMENSTEIN,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04469 (CGM)

NOTICE OF CROSS-MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Counterstatement of Material Facts in Support of Trustee's Cross-Motion for Summary Judgment, the Declarations of Nicholas J. Cremona, Bruce G. Dubinsky, Lisa M. Collura, and Matthew B. Greenblatt in Support of Trustee's Cross-Motion for Summary Judgment, with all exhibits annexed thereto, and upon all the prior pleadings and proceedings herein, Irving H. Picard, as trustee (the "Trustee") for the liquidation of Bernard L. Madoff Investment Securities LLC, by and through his counsel, moves this Court, before the Honorable Cecelia G. Morris, United States Bankruptcy Chief Judge for the Southern District of New York, at the United States Bankruptcy Court for the Southern District of New York, 355 Main Street, Poughkeepsie, New York 12601, for an order granting the Trustee's cross-motion for summary judgment on Count One of the Trustee's Complaint pursuant to Rule 7056 of the Federal Rules of Bankruptcy Procedure and Rule 56 of the Federal Rules of Civil Procedure, together with such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that defendants' reply and opposition to Trustee's cross-motion shall be served and filed on or before January 8, 2021, and Trustee's reply papers shall be served and filed on or before January 22, 2021. Hearing on the parties' cross-motion shall take place on January 27, 2021.

Dated: December 22, 2020
New York, New York

/s/ Nicholas J. Cremona

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